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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: : ATTN: PATENT PUBLICATIONS  
 Guoyi FU et al. : Examiner: Mathieu D. Vargot  
 Serial No.: 09/878,189 ✓ : Group Art Unit: 1732  
 Filed: June 12, 2001 : Allowed: January 21, 2004  
 For: METHOD FOR PRODUCING SPHERE-BASED CRYSTALS

**REQUEST FOR COMPLETE NOTICE OF ALLOWANCE**

MAIL STOP: ISSUE FEE  
 Commissioner for Patents  
 PO Box 1450  
 Alexandria VA 22313-1450

Sir:

Attached is a copy of Applicants' Information Disclosure Statement and Form PTO-1449 filed October 1, 2002, a copy of which has not yet been returned to applicants with the examiner's initials indicating the references cited therein were considered during the prosecution of the above-identified application. It is respectfully requested that an examiner-initialed copy of Form PTO-1449 be returned to applicants.

Respectfully submitted,

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 Attorney for Applicants  
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 Filed: March 18, 2004  
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**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Guoyi FU et al.

Serial No.: 09/878,189

Group Art Unit: 1754

Filed: June 12, 2001

Examiner: UNASSIGNED

For: A METHOD FOR PRODUCING SPHERE-BASED CRYSTALS

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Attached hereto is copending Application No. 09/997,286.

**CITED MATERIALS**

Applicant(s) hereby disclose the information listed in the attached form PTO-1449.

- Copies of materials listed but not attached were cited in parent application Serial No. \_\_\_\_\_; see 37 C.F.R. § 1.98(d).
- Copies of materials listed but not attached were cited in an International Search Report dated \_\_\_\_\_; receipt of the International Search Report and copies of references was confirmed by the PCT International Division of the U.S. PTO in the Notice of Acceptance mailed \_\_\_\_\_.

**LANGUAGE**

- All listed materials are in the English language; see 37 C.F.R. § 1.98.
- Non-English language references:
  - The reference(s): \_\_\_\_\_ in the English-language is (are) indicated by commercial data bases to correspond to the reference(s): \_\_\_\_\_, respectively.
  - (An) English-language translation(s) of the references: \_\_\_\_\_ is (are) provided.
  - A commercial English-language abstract of reference(s) \_\_\_\_\_ is (are) provided.

- An English-language search report or an equivalent paper from a foreign patent office translated into English in pertinent part in connection with a counterpart foreign application, is provided indicating the relevance of the cited reference(s).

### FEES

- No fee is required for this Information Disclosure Statement because:
  - This Information Disclosure Statement is being filed within three months of the filing date of a national application (other than a CPA) under § 1.53(d) or within 3 months of the date of entry of the national stage under § 1.491 in an international application;
  - This Information Disclosure Statement is being filed before the mailing of a first action on the merits;
  - This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that closes prosecution in the application, and is accompanied by a certification below.
  - This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(i).
- A fee is required for this Information Disclosure Statement:
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  - This Information Disclosure Statement is being filed after the mailing date of a final rejection or a notice of allowance under § 1.311 or an action that closes prosecution, but before the payment of the issue fee, and is accompanied by the fee set forth in § 1.17(p) and a certification below.

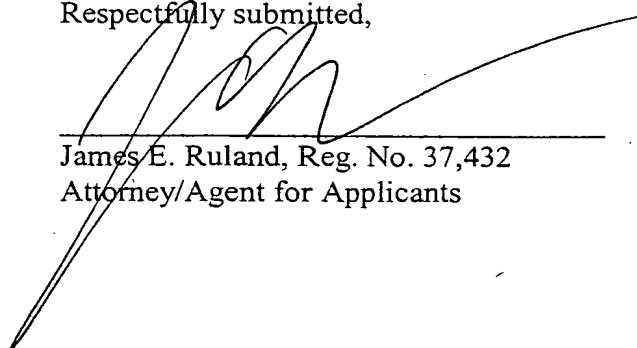
### CERTIFICATION

- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, no such item was known to any individual designated in 37 CFR § 1.56(c), more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

If a fee is due, attached is a check in the amount of \$ \_\_\_\_\_. However, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: EMI 21

Date: October 1, 2002

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE          STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
Application Number	09/878,189				
Filing Date	June 12, 2001				
First Named Inventor	Guoyi FU et al.				
Group Art Unit	1754				
Examiner Name	Unassigned				
Attorney Docket Number	EMI-21				
Sheet	1	of	10		

U.S. PATENT DOCUMENTS						
Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> <i>(if known)</i>			
		5,571,466		Dowling et al.	05/12/1998	
		4,451,412		Loiseaux et al.	05/29/1984	
		5,131,736		Alvarez	07/21/1992	
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		5,645,929		Debe	07/08/1997	

FOREIGN PATENT DOCUMENTS								
Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>e</sub>
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		Application Number	09/878,189
		Filing Date	June 12, 2001
		First Named Inventor	Guoyi Fu et al.
		Group Art Unit	1754
		Examiner Name	Unassigned
		Attorney Docket Number	EMI-21
<i>(use as many sheets as necessary)</i>			
Sheet	2	of	10

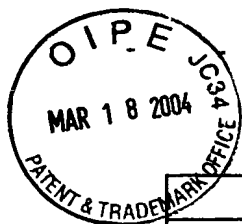
OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	A1	Ames Laboratory Condensed Matter Physics Photonic Band Gap Homepage, Internet, Last Updated 12 August 1996, 28 pages.	
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	A3	Photonic Band Gap Materials, Cassagne et al. Internet, Last Updated 30 April 1998, 7 pages.	
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	A12	Symposium B: Structure and Mechanical Properties of Nanophase Materials: Theory and Computer Simulations vs Experiment, Call For Papers, MRS 2000, 21 March 2000, 2 pages.	

Examiner Signature	Date Considered
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<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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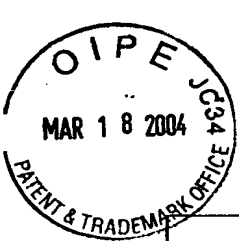


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A17		University of Delaware, Physics and Astronomy, Internet, 1997, 9 pages.	
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A20		MURI Faculty Roster, Internet, 1996, 43 pages.	
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A24		Application Abstracts of JP Application Numbers: JP 84-109596 840531, JP 97-147391 970605, JP 97-128713 970519; Application Abstracts of WO Application Numbers: WO 92-RU259 921230, WO 97-US15938 970909, WO 97-US19592 971024, WO 89-GB532 890517; Application Abstracts of SU Application Numbers: SU 660908; Application Abstracts of EP Application Numbers: EP 94-250110 940428, EP 85-304430 850620; Application Abstracts of RO Application Numbers: RO 81-104094 810422; Application Abstracts of GB Application Numbers: GB 97-3084 970214; Application Abstracts of CN Application Numbers: CN 87-10547 870808; Application Abstracts of US Application Numbers: US 660617, US 3497367 700224, Application: DE Priority: US 680719, Application: GB Priority: US 660516, US 97-819240 970317, US 95-561162 951121	

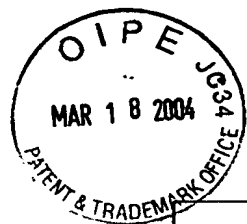


	A25	<p>Research with phrase, "colloidal crystal" to uncover abstracts containing "colloidal crystal":          Application Abstracts of JP Application Numbers: JP 97-192495 19970717, JP 93-36908 19930225, JP 88-20177 19880129, JP 86-246795 19861017, JP 85-70472 19850402, JP 85-70471 19850402, JP 82-175933 19821006, JP 78-147247 19781130, JP 78-119979 19780929, JP 73-66363 19730614;          Application Abstracts of DE Application Numbers: DE 97-19747387 19971027, DE 87-3700299 19870107;          Application Abstracts of GB Application Numbers: GB 94-23779 19941125, GB 88-11894 19880519;          Application Abstracts of EP Application Numbers: EP 92-400602 19920309, EP 91-200406 19910226, EP 85-304430 19850620;          Application Abstracts of SE Application Numbers: SE 71-4136 19710330;          Application Abstracts of FR Application Numbers: FR 72-10248 19720323, FR 19631231;          Application Abstracts of US Application Numbers: US 89-457674 19891227, US 77-836935 19770927; US 19700423, US 19690623</p>	
	A26	<p>Research with phrase, "photonic crystal or colloidal crystal" to uncover abstracts containing "photonic crystal":          Application Abstracts of JP Application Numbers: JP 98-356565 19981215, JP 98-336945 19981127, JP 98-297516 19980912, JP 98-68488 19980318, JP 97-352740 19971222, JP 97-357673 19971225, JP 97-245534 19970910, JP 97-237094 19970902, JP 97-229652 19970826, JP 97-439 19970106, JP 96-34543 19960222, JP 96-30382 19960219, JP 95-160505 19950627, JP 95-96532 19950421, JP 95-88759 19950322, JP 94-153535 19940705, JP 93-154169 19930531, JP 92-321134 19921105, JP 92-245927 19920821, JP 91-322310 19911112, JP 90-89581 19900403, JP 89-344546 19891228, JP 89-80693 19890331, JP 89-151524 19890614, JP 89-35728 19890215, JP 89-3441 19890110, JP 89-19815 19890131, JP 88-192785 19880803, JP 88-55723 19880309, JP 88-134411 19880602, JP 88-58263 19880314, JP 88-50279 19880302, JP 88-55724 19880309, JP 85-249228 19851107, JP 86-249786 19861022, JP 85-171247 19850805, JP 84-271368 19841221, JP 83-129974 19830715, JP 73-32208 19730320;          Application Abstracts of WO Application Numbers: WO 99-US28412 19991130, WO 99-US21704 19990920, WO 98-IL462 19980924, WO 99-US18181 19990811, WO 99-DK279 19990521, WO 99-US380 19990115, WO 98-GB3185 19981026, WO 98-GB2462 19980818, WO 98-JP2254 19980521, WO 97-US22171 19971126, WO 97-US22786 19971212, WO 97-GB2723 19971006, WO 97-EP2576 19970521, WO 97-US5950 19970410, WO 96-US16968 19961031, WO 96-US16329 19961011, WO 96-US12827 19960806, WO 96-US3532 19960314, WO 95-US9965 19950807, WO 90-JP1326 19901015;          Application Abstracts of US Application Numbers: US 94-344141 19941123, US 98-45468 19980320, US 98-100349 19980915, US 98-67614 19980428, US 98-53160 19980401, US 97-896915 19970722, US 98-75223 19980219, US 97-943360 19971003, US 97-931756 19970916, US 97-58675 19970912, US 96-669970 19960625, US 94-231149 19940422, US 94-184147 19940121, US 86-880630 19860701, US 93-104423 19930809, US 91-813552 19911226, US 92-912981 19920710, US 91-808627 19911217, US 90-463587 19900111, US 87-44232 19870430, US 87-15142 19870217, US 84-650708 19840914, US 82-370174 19820420, US 83-461370 19830127, US 82-385993 19820607, US 80-121768 19800215, US 80-161550 19800620, US 79-43728 19790530, US 77-833130 19770914, US 78-891246 19780329, US 76-673235 19760402, US 75-555695 19750305, US 72-257755 19720530, US 70-1164 19700107, US 19650308 - 19690416, US 19671221, US 19660121;          Application Abstracts of DE Application Numbers: DE 97-19743296 19970930, DE 96-19628355 19960713, DE 83-3337492 19831013;          Application Abstracts of CS Application Numbers: CS 83-9996 19831227, CS 83-9515 19831216;          Application Abstracts of SU Application Numbers: SU 87-4249293 19870413, SU 87-4241605 19870508, SU 82-3477738 19820802;          Application Abstracts of FR Application Numbers: FR 77-31275 19771018, FR 73-17345 19730514;          Application Abstracts of EP Application Numbers: EP 98-401369 19980608, EP 97-300885 19970212, EP 90-119483 19901011; EP 79-400734 19791011;          Application Abstracts of GB Application Numbers: GB 97-13422 19970626, GB 96-9143 19960501, GB 75-11180 19750318, GB 19640819;          Application Abstracts of CA Application Numbers: CA 19641216</p>	
	A27	<p>Research with phrase, "anodize or anodization" to uncover 44 abstracts containing "anodization," refined with phrase "metal or metal oxide" and "submicron structure or nanostructure," 21 pages.</p>	
	A28	<p>Research with phrases, "anodize or anodization," refined with phrases "metal or metal oxide," and "alumina or silica or titania," and refined by document type "Review" to uncover 35 abstracts, 16 pages.</p>	
	A29	<p>Abstracts, 66 pages.</p>	
	A30	<p>Research with phrase, "Vacuum Belt Filter" to find 127 abstracts, 49 pages.</p>	
	A31	<p>Research with phrase "opal" and refined by document type "patent" to uncover 174 abstracts, 71 pages.</p>	
	A32	<p>Application Abstracts of JP Application Numbers: JP 70-35125 700425;          Application Abstracts of EP Application Numbers: EP 90-105362 900321, EP 89-114724 890809;          Application Abstracts of CA Application Numbers: CA 86-516606 860822;          Application Abstracts of US Application Numbers: US 85-736027 850520, US 84-680456 841211, US 85-691099 850114</p>	
	A33	<p>97 Abstracts, 42 pages.</p>	
	A34	<p>Online Search Request for term, "opals," with Nerac, Inc., 18 January 1999, 31 pages.</p>	
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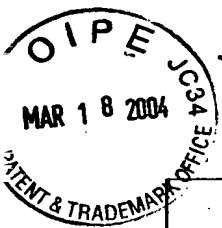




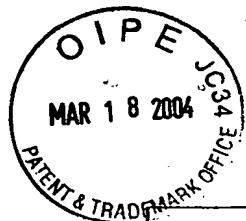
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A76	Latest Photonic and Acoustic Band-Gap Papers Collection, Internet, posted 19 December 1999, 5 pages.
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A78	Zhengdong Cheng, Resume, 3 pages.
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